



09/23/03

Utility**Patent Application**
TransmittalAttorney Docket No. P-0038US

First Inventor or Application Identifier

RAYBORN, JerryTitle WATER-BASED DRILLING FLUID ADDITIVEExpress Mail Label No. CONTAINING GRAPHITE +
CARRIER**APPLICATION ELEMENTS***See MPEP chapter 6000 concerning utility patent application contents.*

1. [X] *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. [X] Specification [Total pages 36] (preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. [X] Drawing(s) (35 U.S.C. 113) [Total Sheets 2]

4. Oath or Declaration

- a. [X] Newly executed (original or copy)
- b. [] Copy from a prior application
(37 C.F.R. §1.63(d)) (for continuation/divisional with box 16 completed)
 - i. [] **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§1.63(d)(2) and 1.33 (b).

* NOTE FOR ITEMS 1&13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. §1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application Washington, DC 20231

5. [] Microfiche Computer Program (Appendix)

6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. [] Computer Readable Copy
- b. [] Paper Copy (identical to computer copy)
- c. [] Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. [X] Assignment Papers (cover sheet & document(s))

8. [] 37.C.F.R. §3.73(b) Statement [] Power of Attorney (When there is an assignee)

9. [] English Translation Document (if applicable)

10. [] Information Disclosure [] Copies of IDS Statement (IDS)/PTO-1449 Citations

11. [] Preliminary Amendment

12. [X] Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

13. [X] *Small Entity [] Statement filed in prior Statement(s) application, Status still (PTO/SB/09-12) proper and desired

14. [] Certified Copy of Priority Document(s) (if foreign priority is claimed)

15. [] Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

[] Continuation [] Divisional [X] Continuation-in-part (CIP) of prior Application No. 10/090201

Prior application information: Examiner Philip Tucker Group / Art Unit: 1712

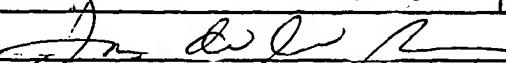
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted fro the submitted application parts.

CORRESPONDENCE ADDRESS

Customer Number or Bar Cod. or [] Co

respondence address below

(Insert Customer No. or Attach bar code label here)

Name	Dan M. dela Rosa, Esq.				
Address	345 E 80th Street, Suite 27H				
City	New York	State	N.Y	Zip Code	10021
Country	U. S. A.	Telephone	(212) 570-6597	Fax	(212) 570-9053
Name (print/type)	Dan M. dela Rosa, Esq.			Registration No. (Attorney/Agent)	38,429
Signature				Date	9/22/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

1698-U.S. PTO
09/23/03

FEE TRANSMITTAL for FY 1999

Patent fees are subject to annual revision.
Small Entity payments must be supported by a
small entity statement, otherwise large entity fees
must be paid. See Forms PTO/SB/09-12.

Complete if Known

Application Number To Be Assigned
Filing Date September 23, 2003
First Named Inventor RAYBORN, Jerry
Examiner Name To Be Assigned TUCKER, Philip
Group / Art Unit To Be Assigned 1712
Attorney Docket No. P-0038US

METHOD OF PAYMENT (check one)

[] The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

Deposit Account No. _____
Deposit Account Name _____

[] Charge Any Additional
Fee Required Under
37 CFR 1.16 and 1.17

[X] Payment Enclosed:

[X] Check [] Money Order [] Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee	Fee	Fee	Fee	
Code (\$)	Code (\$)	Fee Description	Fee Paid	
101	760	201	380	Utility filing fee \$ 375
106	310	206	155	Design filing fee _____
107	480	207	240	Plant filing fee _____
108	760	208	380	Reissue filing fee _____
114	150	214	75	Provisional filing fee _____
SUBTOTAL (1) \$				

2. EXTRA CLAIM FEES

Extra claims Fee from below Fee Paid
Total Claims 32 -20** = 12 x 9 = 108

Independent

Claims 4 -3** = 1 x 42 = 42

Multiple

Dependent

**or number previously paid, if greater; For Reissues, see below
Large Entity Small Entity

Fee	Fee	Fee	Fee	
Code (\$)	Code (\$)	Fee Description	Fee Paid	
101	760	201	380	Utility filing fee \$ 375
106	310	206	155	Design filing fee _____
107	480	207	240	Plant filing fee _____
108	760	208	380	Reissue filing fee _____
114	150	214	75	Provisional filing fee _____
SUBTOTAL (1) \$				

FEE CALCULATION

3. ADDITIONAL FEES

Large Entity Small Entity

Fee	Fee	Fee	Fee		
Code (\$)	Code (\$)	Fee Description	Fee Paid		
105	130	205	65	Surcharge-late filing fee or oath	_____
127	50	227	25	Surcharge-late prov provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for reply within first month	_____
116	380	216	190	Extension for reply within second month	_____
117	870	217	435	Extension for reply within third month	_____
118	1,360	218	680	Extension for reply within fourth month	_____
128	1,850	228	925	Extension for reply within fifth month	_____
119	300	219	150	Notice of Appeal	_____
120	300	220	150	Filing a brief in support of an appeal	_____
121	260	221	130	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceedings	_____
140	110	240	55	Petition to revive-unavoidable	_____
141	1,210	241	605	Petition to revive-unintentional	_____
142	1,210	242	605	Utility issue fee (or reissue)	_____
143	430	243	215	Design issue fee	_____
144	580	244	290	Plant issue fee	_____
122	130	122	130	Petition to the Commissioner	_____
123	50	123	50	Petitions related to provisional applications	_____
126	240	126	240	Submission of Information Disclosure Stmt	_____
581	40	581	40	Recording each patent assignment per Property (times number of properties)	40
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	_____
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(a))	_____
Other fee (specify) _____					
Other fee (specify) _____					

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$ 40

TOTAL AMOUNT \$ 565.00

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	<i>Dan M. de la Rosa, Esq.</i>			Reg. Number	<u>38,425</u>
Signature	<i>D. de la R.</i>	Date	9/22/03	Deposit Account User ID	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RAYBORN, Jerry
Serial No.: To Be Assigned
Filed: September 23, 2003
Title: WATER-BASED DRILLING FLUID ADDITIVE
CONTAINING GRAPHITE AND CARRIER
Examiner: Tucker, Philip Art Unit: 1712
Docket: P-0038US

CERTIFICATE OF UPS MAILING

Date of Deposit: September 23, 2003

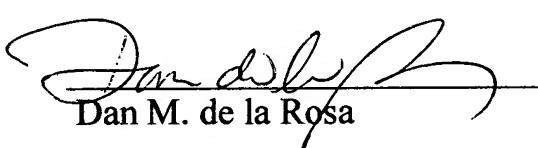
I hereby certify that the following attached paper (s) and/or fee

- (1) Utility Patent Application Transmittal;
- (2) Declaration for Utility or Design Patent Application (37 CFR 1.63);
- (3) Fee Transmittal;
- (4) Assignment and Assignment Recordation Sheet;
- (5) Continuation-In-Part Patent Application (Comprising 36 pgs, 30 pgs of specifications, 5 pgs of claims, 1 pg abstract, 2 pgs of drawings);
- (6) A check totaling the amount of \$565.00; and
- (7) A self-addressed stamped postcard, return which is requested to acknowledge receipt of the enclosed documents

Are being deposited with UPS on the date indicated above and is addressed to the "Commissioner of Patents, Crystal Plaza #2, Suite 1A031, 2011 South Clark Place, Arlington, VA 22202";

Respectfully submitted,

Dated: September 23, 2003


Dan M. de la Rosa

CORRESPONDENCE:

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